

Notice of Allowability

Application No.

10/814,775

Examiner

Sangwoo Ahn

Applicant(s)

CUTLIP ET AL.

Art Unit

2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment and Arguments/Remarks filed on 6/8/2007.
2. ☒ The allowed claim(s) is/are 1, 18 and 22-32.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


MOHAMMAD ALI
PRIMARY EXAMINER

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/8/2007 has been entered.

Allowable Subject Matter

Claims 1, 18 and 22 – 32 are allowed.

The following is an examiner's statement of reasons for allowance:

Applicant's amendment filed on 6/8/2007 overcomes the 35 USC 112 rejection of claim 18, 35 USC 101 rejection of claim 18 and 35 USC 102 rejection of claims 1 and 18.

The Examiner finds Applicant's argument (filed on 6/8/2007) concerning the amended claims and the prior art or record persuasive. Tummalapalli does not teach the combination of claimed elements including: "... collection a plurality of measurements pertaining to a plurality of service offerings of the SLMS ... constructing a geospatial cube from the collected measurements ... a first dimension of the geospatial cube comprises a first collection of planes, each of the planes in the first collection representing ... a service offering metric computed from the measurements collected ... a second dimension of the geospatial cube comprises a second collection of planes, each of the planes in the second collection representing ... each of the plurality of times at which the measurements were collected ... a third dimension of the geospatial cube comprises a third collection of planes, each of the planes in the third collection representing ... the service offering metric

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computed from the measurements collected ..." Tummalapalli discloses a multidimensional database technology applied to systems management but does not teach that the collected data (measurements pertaining to service offerings of SLMS, wherein a service offering comprises collaborations, a collaboration comprises key process indicators, a key process indicator represents at least one of the processes of the SLMS) are used to construct a geospatial cube containing a plurality of dimensions, each of the dimensions comprising a collection of planes representing essential data. Thus, the prior art of record neither renders obvious nor anticipates the combination of claimed elements in light of the specification. Dependent claims 22 – 26 and 28 – 32 are allowed at least by virtue of their dependencies from the independent claims 1 and 27.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sangwoo Ahn whose telephone number is (571) 272-5626. The examiner can normally be reached on M-F 10-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

8/16/2007 SW


Patent Examiner Sangwoo Ahn
AU 2166
MOHAMMAD ALI
PRIMARY EXAMINER